

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 16392 of 2006
Date of decision: 12.7.2007

Amarjit Kaur

...Petitioner

Versus

Chairman, Board of Trustees & others

...Respondents.

**CORAM:- HON'BLE MR. JUSTICE K.S. GAREWAL
HON'BLE MR. JUSTICE S. D. ANAND**

Present: Mr. Raman Sharma, Advocate,
for the petitioner.

Mr. Satinder Khanna, Advocate, for
respondents No. 1,2, 4 and 5.

Mr. Rajeev Sharma, Advocate, for
respondent No.3.

K.S.GAREWAL, J.

Amarjit Kaur has filed this petition to claim release of dues of her deceased husband Pappa Singh, who died on May 27, 1999 and had been employed as Labour handler with the Food Corporation of India, Rampuraphul. Pappa Singh had been brought under the contract payment system upon departmentalization with effect from November 12, 1991 and had also been allotted CPF 15138 with effect from March 1, 1992. The

petitioner was the nominee mentioned by the deceased. She deserved to be treated with sympathy by the Corporation and her dues were required to be released promptly. The petitioner was driven to file this petition after six years of her husband's death.

In the written statement filed on behalf of the Corporation, it was pleaded that the petitioner herself had submitted in her affidavit that she was the widow of Jagsir Singh alias Pappa Singh but the deceased was never referred as Jagsir Singh. Thus a doubt arose and the petitioner was asked to clarify if the death certificate which mentioned the deceased as Jagsir Singh @ Pappa Singh in fact related to the Pappa Singh who had been employed by the Corporation. After verifying the documents, benevolent fund of Rs. 10,500/- was released on August 10, 2005, gratuity of Rs. 20,880/- was released on December 6, 2005 and leave encashment amount of Rs. 7955/- was released on February 9, 2007. Apart from the above payments, a sum of Rs. 39333/- constituting CPF and Rs. 35500/- constituting Group Insurance Scheme was likely to be released in the near future.

The Corporation had put a distressed widow of a labour handler to such a harassment that the retiral dues of her late husband, which come to over Rs. 1.14 lacs have not been been fully paid even after delay of six years.

Consequently, this petition is disposed of with a direction to the respondents to pay the petitioner interest at the rate of 10% for the delayed payment from May 27, 1999 (the date of death of her husband) till the respective dates of actual payments of different dues. The petitioner shall also be entitled to costs, which are quantified at Rs. 5,000/-. The above

payments shall be made to the petitioner latest by September 30, 2007, failing which the outstanding amounts shall carry further interest at the rate of 9%.

(K.S. GAREWAL)
JUDGE

12.7.2007
prem

(S.D. ANAND)
JUDGE